

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE:)	CHAPTER 7
)	
TANIKA L. HATLEY,)	CASE NO. 23-02486
)	
DEBTOR.)	HON. TIMOTHY A. BARNES

NOTICE OF MOTION

TO: See attached list

PLEASE TAKE NOTICE that on **Wednesday, June 21, 2023, at 9:00 a.m.**, I will appear before the Honorable Timothy A. Barnes, or any judge sitting in that judge's place, **either** in courtroom 744 of the Everett McKinley Dirksen United States Courthouse, 219 S. Dearborn Street, Chicago, IL 60604 **or** electronically as described below, and present the Motion of the United States Trustee for **Rule 2004 Examination of the Debtor**, a copy of which is attached.

All parties in interest, including the movant, may appear for the presentment of the motion either in person or electronically using Zoom for Government (audio only).

To appear by video, use this link: <https://www.zoomgov.com/join>. Then enter the meeting ID and password.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and password.

Meeting ID and password. The meeting ID for this hearing is **161 329 5276** and the passcode is **433658**. The meeting ID and password can also be found on the judge's page on the court's web site.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without calling it.

/s/ Suhey Ramirez
Suhey Ramirez, Attorney
OFFICE OF THE U.S. TRUSTEE
219 South Dearborn Street, Room 873
Chicago, Illinois 60604
(312) 353-5014

CERTIFICATE OF SERVICE

I, Suhey Ramirez, an Attorney, certify that on June 9, 2023, caused to be served copies of the **Notice and Motion of the United States Trustee for Rule 2004 Examination of the Debtor, and Proposed Order** on the ECF Registrants shown below *via* the Court's Electronic Notice for Registrants and *via* First Class US Mail by BMC Group on all other entities shown at the addresses listed below. A supplement to this Certificate of Service from BMC Group will be filed.

/s/ Suhey Ramirez

SERVICE LIST

Registrants Served Through the Court's Electronic Notice for Registrants:

- **Deborah Kanner Ebner** dkebner@debnertrustee.com, dke@trustesolutions.net, IL53@ecfcbis.com; webmaster@debnertrustee.com; lizd@debnerlaw.com
- **Patrick S Layng** USTPRegion11.ES.ECF@usdoj.gov
- **Mitchell Shanks** mshanks@semradlaw.com, ilnb.courtview@SLFCourtview.com

Parties Served via First Class Mail:

Tanika L Hatley
843 E Marquette Rd Apt 3
Chicago, IL 60637

Bridgecrest Acceptance Corporation, c/o AIS Portfolio Services, LLC
4515 N Santa Fe Ave. Dept. APS
Oklahoma City, OK 73118

PRA Receivables Management, LLC
PO Box 41021
Norfolk, VA 23541

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MOTION FOR RULE 2004 EXAMINATION OF THE DEBTOR

Now comes Patrick S. Layng, the United States Trustee for the Northern District of Illinois (the “U.S. Trustee”), by his attorney, Suhey Ramirez, and moves the Court to enter an order authorizing discovery from Tanika L. Hatley (the “Debtor”) pursuant to Fed. R. Bankr. P. 2004. As his reasons for this request, the U.S. Trustee states to the Court as follows:

1. This Court has jurisdiction to consider this Motion pursuant to 28 U.S.C. § 1334. Venue is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409.

2. This is a core proceeding under 28 U.S.C. §157(b)(2)(A) which this Court may hear and determine pursuant to Internal Operating Procedure 15(a) and Local Rule 40.3.1(a) of the United States District Court for the Northern District of Illinois and Local Bankruptcy Rule 9013-9.

3. Movant is the U.S. Trustee and brings this motion pursuant to Fed. R. Bankr. P. 2004.

4. On February 24, 2023, the Debtor filed her voluntary petition for relief Chapter 7 of the Bankruptcy Code. On or about that same day, Deborah Kanner Ebner was appointed Chapter 7 Trustee in the Debtor’s case.

5. At the 341 Meeting of Creditors the Chapter 7 Trustee reviewed the Debtor’s tax returns which indicated an anticipated tax refund of \$29,620.00 in 2021. The Debtor testified the

2021 tax return was filed but that she never received the \$29,620.000 tax refund. Additionally, the Debtor's 2022 tax return listed a tax refund related to a fuel credit of \$28,246.00. The Debtor testified she received the 2022 tax refund of \$28,246.00 a month before filing bankruptcy.

6. In the Statement of Financial Affairs filed with her petition, the Debtor represented that she received gross income from employment or operating a business of \$32,000.00 in 2021, and \$35,000.00 in 2022. The Statement of Affairs also lists a cleaning business named TLH Services that existed from January 2018 and no end date is listed. In her original Schedule A/B, the Debtor reported that she owned no business interests as of the petition date.

7. According to www.federalpay.org, the Debtor received a PPP loan in the amount of \$20,833 and approved April 28, 2021, for a sole proprietorship (business legal structure) engaged in "business associations."

8. The U.S. Trustee is reviewing the Debtor's case to evaluate the accuracy and completeness of her Schedules, Statement of Financial Affairs, and testimony at the 341 Meeting. In order to determine whether there may be a basis to object to the Debtor's discharge under 11 U.S.C. § 727(a) the U.S. Trustee needs to elicit discovery from the Debtor under Fed. R. Bankr. P. 2004(c), including the production of documents and attendance at an examination, if necessary.

WHEREFORE, the U.S. Trustee requests the Court enter an order authorizing the U.S. Trustee to conduct an examination of the Debtor under Fed. R. Bankr. P. 2004, and for such other relief as is just.

RESPECTFULLY SUBMITTED:

PATRICK S. LAYNG
UNITED STATES TRUSTEE

DATED: June 9, 2023

/s/ Suhey Ramirez
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OFFICE OF THE U.S. TRUSTEE
219 South Dearborn Street, Room 873
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(312) 353-5014